



## Adoption of Rule 400 (New Source Review of New and Modified Stationary Sources)

### I. EXECUTIVE SUMMARY

On March 20, 2018 the Amador Air District Board of Directors will consider adoption of proposed Rule 400 New Source Review (NSR) Rule for New and Modified Major Stationary Sources in the Amador County.

The District is proactively adopting this rule in anticipation that Amador County would be designated as being non-attainment for the federal 8-hour ozone standard in the near future. The 8-hour federal ozone standard is 70 parts per billion and the Amador Air District has a new Design Standard of 71 parts per billion. There have been four exceedances of this standard in 2017 and the expectation is that the District will be designated as non-attainment in the future.

The US Environmental Protection Agency (EPA) has notified the Governor of its intention to re-designate Amador County (EPA letter dated December 20, 2017, copy attached). Therefore, the adoption of this rule would keep the District in compliance with federal requirements that require the adoption of a NSR rule. The Rule applies to any new source in the Amador Air District and once approved will meet the State Implementation Plan (SIP) requirements.

### II. BACKGROUND

New Source Review (NSR) is a pre-construction permitting review requirement that ensures that when a new source is built, or when an existing source is modified, the source will minimize emissions consistent with applicable District, state and federal regulations. Based on the pre-construction review, the District issues an Authority to Construct permit for the source. The permit authorizes construction and stipulates conditions designed to minimize emissions and ensure compliance with applicable regulations.

### III. DESCRIPTION OF RULE 400, NEW AND MODIFIED MAJOR SOURCES IN AMADOR COUNTY

The District implements a program to evaluate the expected air quality impacts from stationary, portable, and other non-mobile sources. The program is intended to ensure that these sources are constructed and operated in a manner that minimizes air quality

impacts and comply with state and federal regulations. The District's permitting program includes review of preconstruction permits, annual and ongoing regulation of sources through operating permits and applicable emission standards, and regular inspections of these sources to ensure that they comply with all applicable requirements.

Amador County may be designated as a nonattainment area for the federal 2015 8-hour ozone standard of 70 parts per billion in the future. A strategy to control air pollution is to reduce emissions from new or modified existing stationary sources through a New Source Review (NSR) program. The Federal Clean Air Act (CAA) and its associated regulations contain requirements for the District to adopt and implement a State Implementation Plan (SIP)-approved NSR program for any new major stationary source or any major modification located at an existing major stationary source located at facilities in the Amador County.

This rule would apply to sources that emit or have the potential to emit, 100 tons or more per year of volatile organic compounds (VOCs) or nitrogen oxides (NOx). Currently the District has one permitted major sources located in Martel. This rule would apply to new sources; not existing sources.

#### **IV. HEALTH IMPACTS**

Ground level ozone is a secondary pollutant formed from photochemical reactions of NOx and volatile organic compounds (VOCs) in the presence of sunlight. Ozone is a strong irritant that adversely affects the human health and damages crops and other environmental resources. As documented by the U.S Environmental Protection Agency (EPA) in the most recent Criteria Document for Ozone (U.S EPA 2006), both short-term and long-term exposure to ozone can irritate and damage the human respiratory system, resulting in:

- Decreased lung function
- Development and aggravation of asthma
- Increased hospitalizations and emergency room visits and
- Premature deaths

#### **V. SOCIOECONOMIC IMPACT AND COST EFFECTIVENESS**

HSC Section 40728.5 exempts districts with a population of less than 500,000 persons from the requirement to assess the socioeconomic impacts of proposed rules. Amador County population is below 500,000 persons.

Pursuant to the California Health & Safety Code Section 4090.6(a), the District is required to analyze the cost effectiveness of new rules. The District does not anticipate that any sources will be affected by the proposed regulation and therefore are not subject to the cost effectiveness analysis.

## **VI. WRITTEN ANALYSIS OF EXISTING FEDERAL AND DISTRICT REGULATIONS**

The proposed amended rule does not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements. Pursuant to California Health and Safety Code section 40727.2, subdivision (g), the foregoing satisfies the requirement of a written analysis of existing regulations prior to adopting, amending or repealing a regulation.

## **VII. ENVIRONMENTAL REVIEW AND COMPLIANCE**

Adoption of Rule 2:3c is a regulatory activity, authorized by state statute, to assure the maintenance and protection of the environment, and includes procedures for protection of the environment. This action is therefore categorically exempt from review under the California Environmental Quality Act under the Class 8 Categorical Exemption (Cal. Code Regulations., Title 14, § 15308).

## **VIII. RULE DEVELOPMENT PROCESS**

A Public notice for a public hearing inviting the community to review and comment on the proposed revisions was published in the Amador Ledger Dispatch newspaper, on February 15, 2018, and the Districts website.

A Public Hearing by the Amador Air District Board is scheduled for March 20, 2018, after which if the Rule is approved it will be forwarded to the ARB and US EPA for inclusion into the SIP.

## **IX. REQUIRED FINDINGS**

Section 40727(a) of the California Health & Safety Code (CH&SC) requires that prior to adopting or amending a rule or regulation, an Air Districts makes findings of necessity, authority, clarity, consistency, non-duplication, and reference. The findings must be based on the following:

1. Information presented in the written analysis, prepared pursuant to California Health & Safety Code Section 40727.2;
2. Information contained in the rulemaking records pursuant to California Health & Safety Code Section 40728; and
3. Relevant information presented at the Board's Hearing for adoption of the rule.

The required findings are:

**Necessity:** Districts with area designated as Nonattainment for federal National Ambient Air Quality Standards (NAAQS) are required by US EPA to establish Federal New Source Review (NSR) Rules for inclusion into the District's State Implementation Plan (SIP).

Currently, the District is designated as being attainment for the 8-hour federal ozone standards. However, recent violation of the ozone standard indicates that attainment status will change.

**Authority:** The District is authorized to adopt rules and regulations by California Health & Safety Code, Sections 40001, 40702, 40716, 41010, and 41013. (CH&SC 40727(B)(2))

**Clarity:** District staff has reviewed the proposed rule and determined that it can be easily understood by the affected industry. (CH&SC Section 40727(b)(3))

**Consistency:** The proposed rule does not conflict with, and is not in contradiction with existing statutes, court decisions, or state or federal regulations. (CH&SC Section 40727(b)(4))

**Non-Duplication:** The proposed rule does not duplicate any state laws or regulations, regarding the attainment and maintenance of state and federal air quality limits. (CH&SC Section 40727(b)(5))

**Reference:** The District must refer to any statute, court decision, or other provision of law that the District implements, interprets, or makes specific by adopting, amending or repealing the rule.

## **IX. BOARD ACTIONS AND ALTERNATIVES**

Staff requests the Board to do the following:

- a) Hold a Public Hearing to take comments on proposed Rule 400 New Source Review, New and Modified Major Sources in Amador County and;
- b) RESOLUTION - Request adoption of Amador Air District Rule 400 New Source Review, New and Major Source in Amador County
- c) Propose changes to the text of the amendment to Rule 400 New Source Review, New and Major Sources in Amador County, and re- schedule the public hearing to consider the proposed Rule as revised; or
- d) Take no action.

Respectfully submitted by:



**Jim McHargue**

Air Pollution Control Officer

Copy of EPA Letter Dated December 20, 2017  
to Governor Brown



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street**

**San Francisco, CA 94105-3901**

**DEC 20 2017**

The Honorable Edmund G. Brown, Jr.  
Governor of California  
State Capitol Building, Suite 1173  
Sacramento, CA 95814

Dear Governor Brown:

Thank you for your recommendation dated October 3, 2016, on air quality designations for the revised 2015 National Ambient Air Quality Standards (NAAQS) for ozone throughout California. I appreciate the information California shared with the U.S. Environmental Protection Agency (EPA) as we move forward to improve ozone air quality. This letter is to notify you of the EPA's preliminary response to California's recommendations and to inform you of our approach for completing designations for the revised ozone standards. After considering California's October 3, 2016 ozone designation recommendations, which were based on 2013-2015 air quality data, as well as other relevant technical information, the EPA intends to agree with the State's recommendation and designate the areas listed in Enclosure 1 as Nonattainment. The EPA also intends to designate all other areas in the State not previously designated in November 2017 as Attainment/Unclassifiable.

On October 1, 2015, the EPA lowered the primary 8-hour ozone standard from 0.075 parts per million (ppm) to 0.070 ppm to provide increased protection of public health. The EPA revised the secondary 8-hour ozone standard, making it identical to the primary standard, to protect against welfare effects, including impacts on sensitive vegetation and forested ecosystems. Working closely with the states and tribes, the EPA is implementing the standards using a common sense approach that improves air quality and minimizes the burden on state and local governments. As part of this routine process, the EPA is working with the states to identify areas in the country that meet the standards and those that need to take steps to reduce ozone pollution.

As a first step in implementing the 2015 ozone standards, the EPA asked states to submit in the fall of 2016 their designation recommendations, including appropriate area boundaries. A first round of designations was published on November 16, 2017. Consistent with states' recommendations, the EPA designated most of the country as Attainment/Unclassifiable, with limited areas designated as Unclassifiable. Further, consistent with EPA's "Policy for Establishing Separate Air Quality Designations for Areas of Indian Country" (December 20, 2011), the EPA designated two areas of Indian country as separate Attainment/Unclassifiable areas.

As required by the Clean Air Act, the EPA will designate an area as Nonattainment if there are certified, quality-assured air quality monitoring data showing a violation of the 2015 ozone standards or if the EPA makes a determination that the area is contributing to a violation of the standards in a nearby area.


Areas designated Attainment/Unclassifiable are not measuring or contributing to a violation of the standards.

A Technical Support Document, available on the EPA ozone designations website at [www.epa.gov/ozone-designations/](http://www.epa.gov/ozone-designations/), provides a detailed analysis to support our preliminary decisions for the areas of the State not previously designated. In order for the EPA to consider more current (i.e., 2015-2017) air quality data in the final designation decisions for any area, California must submit certified, quality-assured 2015-2017 air quality monitoring data for the area to the EPA by February 28, 2018.

The EPA will continue to work with state officials regarding the appropriate boundaries for the Nonattainment areas in California. If California has additional information that you would like the EPA to consider, please submit it to us by February 28, 2018. Please submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0548, located at [www.regulations.gov](http://www.regulations.gov), and sending a copy to EPA Region 9. The EPA will also make its preliminary designation decisions and supporting documentation available to the general public for review and comment. We will be announcing a 30-day public comment period shortly in the *Federal Register*. After considering additional information we receive, the EPA plans to promulgate final ozone designations in the spring of 2018.

The EPA is committed to working with the states and tribes to reduce ozone air pollution. We look forward to a continued dialogue with you and your staff as we work together to implement the 2015 ozone standards. Should you have any questions regarding this matter, please do not hesitate to contact me at 415-947-8702 or have a member of your staff contact Meredith Kurpius at 415-947-4534.

Sincerely,

  
Alexis Strauss 20 December 2017  
Acting Regional Administrator

Enclosure

cc (via e-mail): Matthew Rodriguez, Secretary, California Environmental Protection Agency  
Mary Nichols, Chairman, California Air Resources Board (CARB)  
Richard Corey, Executive Officer, CARB

## Enclosure 1

### California State and Tribal Recommended Nonattainment Areas and the EPA's Intended Designated Nonattainment Areas for the 2015 Ozone NAAQS.

Area	California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
Amador County, CA*	Amador County	Amador County
<ul style="list-style-type: none"> <li>Buena Vista Rancheria of Me-Wuk Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Buena Vista Rancheria of Me-Wuk Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Jackson Band of Miwuk Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Jackson Band of Miwuk Indians</li> </ul>
Butte County, CA*	Butte County	Butte County
<ul style="list-style-type: none"> <li>Berry Creek Rancheria of Maidu Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Berry Creek Rancheria of Maidu Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Enterprise Rancheria of Maidu Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Enterprise Rancheria of Maidu Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Mechoopda Indian Tribe of Chico Rancheria</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Mechoopda Indian Tribe of Chico Rancheria</li> </ul>
<ul style="list-style-type: none"> <li>Mooretown Rancheria of Maidu Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Mooretown Rancheria of Maidu Indians of California</li> </ul>
Calaveras County, CA*	Calaveras County	Calaveras County
<ul style="list-style-type: none"> <li>California Valley Miwok Tribe</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>California Valley Miwok Tribe</li> </ul>
Imperial County, CA*	Imperial County	Imperial County
<ul style="list-style-type: none"> <li>Quechan Tribe of the Fort Yuma Indian Reservation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Quechan Tribe of the Fort Yuma Indian Reservation</li> </ul>
<ul style="list-style-type: none"> <li>Torres Martinez Desert Cahuilla Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Torres Martinez Desert Cahuilla Indians (partial)</li> </ul>
Kern County (Eastern Kern), CA	Kern County (partial)	Kern County (partial)



<b>Area</b>	<b>California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]</b>	<b>EPA's Intended Nonattainment Counties [or Areas of Indian Country]</b>
Los Angeles-San Bernardino Counties (West Mojave Desert), CA*	Los Angeles County (partial) San Bernardino County (partial)	Los Angeles County (partial) San Bernardino County (partial)
<ul style="list-style-type: none"> <li>Twenty-Nine Palms Band of Mission Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Twenty-Nine Palms Band of Mission Indians of California (partial)</li> </ul>
Los Angeles-South Coast Air Basin, CA*	Los Angeles County (partial) Orange County Riverside County (partial) San Bernardino County (partial)	Los Angeles County (partial) Orange County Riverside County (partial) San Bernardino County (partial)
<ul style="list-style-type: none"> <li>Cahuilla Band of Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Cahuilla Band of Indians</li> </ul>
<ul style="list-style-type: none"> <li>Pechanga Band of Luiseno Mission Indians</li> </ul>	Pechanga Band of Luiseno Mission Indians **	<b>Pechanga Band of Luiseno Mission Indians (partial)</b>
<ul style="list-style-type: none"> <li>Ramona Band of Cahuilla</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Ramona Band of Cahuilla</li> </ul>
<ul style="list-style-type: none"> <li>San Manuel Band of Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>San Manuel Band of Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Soboba Band of Luiseno Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Soboba Band of Luiseno Indians</li> </ul>
Mariposa County, CA	Mariposa County	Mariposa County
Morongo Band of Mission Indians	Morongo Band of Mission Indians	Morongo Band of Mission Indians
Nevada County (Western part), CA	Nevada County (partial)	Nevada County (partial)
Pechanga Band of Luiseno Mission Indians	Pechanga Band of Luiseno Mission Indians**	<b>Pechanga Band of Luiseno Mission Indians (partial)</b>
Riverside County (Coachella Valley), CA*	Riverside County (partial)	Riverside County (partial)
<ul style="list-style-type: none"> <li>Agua Caliente Band of Cahuilla Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Agua Caliente Band of Cahuilla Indians</li> </ul>
<ul style="list-style-type: none"> <li>Augustine Band of Cahuilla Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Augustine Band of Cahuilla Indians</li> </ul>
<ul style="list-style-type: none"> <li>Cabazon Band of Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Cabazon Band of Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Santa Rosa Band of Cahuilla Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Santa Rosa Band of Cahuilla Indians</li> </ul>
<ul style="list-style-type: none"> <li>Torres Martinez Desert Cahuilla Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Torres Martinez Desert Cahuilla Indians (partial)</li> </ul>

Area	California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
<ul style="list-style-type: none"> <li>Twenty-Nine Palms Band of Mission Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Twenty-Nine Palms Band of Mission Indians of California (partial)</li> </ul>
Sacramento Metro, CA*	El Dorado County (partial) Placer County (partial) Sacramento County Solano County (partial) Sutter County (partial) Yolo County	El Dorado County (partial) Placer County (partial) Sacramento County Solano County (partial) Sutter County (partial) Yolo County
<ul style="list-style-type: none"> <li>Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria</li> </ul>
<ul style="list-style-type: none"> <li>United Auburn Indian Community of the Auburn Rancheria of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>United Auburn Indian Community of the Auburn Rancheria of California</li> </ul>
<ul style="list-style-type: none"> <li>Wilton Rancheria</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Wilton Rancheria</li> </ul>
<ul style="list-style-type: none"> <li>Yocha Dehe Wintun Nation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Yocha Dehe Wintun Nation</li> </ul>
San Diego County, CA*	San Diego County	San Diego County
<ul style="list-style-type: none"> <li>Barona Group of Capitan Grande Band of Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Barona Group of Capitan Grande Band of Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Campo Band of Diegueno Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Campo Band of Diegueno Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Capitan Grande Band of Diegueno Mission Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Capitan Grande Band of Diegueno Mission Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Ewiiapaayp Band of Kumeyaay Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Ewiiapaayp Band of Kumeyaay Indians</li> </ul>
<ul style="list-style-type: none"> <li>Iipay Nation of Santa Ysabel</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Iipay Nation of Santa Ysabel</li> </ul>
<ul style="list-style-type: none"> <li>Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation</li> </ul>
<ul style="list-style-type: none"> <li>Jamul Indian Village of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Jamul Indian Village of California</li> </ul>

Area	California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
<ul style="list-style-type: none"> <li>La Jolla Band of Luiseno Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>La Jolla Band of Luiseno Indians</li> </ul>
<ul style="list-style-type: none"> <li>La Posta Band of Diegueno Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>La Posta Band of Diegueno Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Los Coyotes Band of Cahuilla and Cupeno Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Los Coyotes Band of Cahuilla and Cupeno Indians</li> </ul>
<ul style="list-style-type: none"> <li>Manzanita Band of Diegueno Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Manzanita Band of Diegueno Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Mesa Grande Band of Diegueno Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Mesa Grande Band of Diegueno Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Pala Band of Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Pala Band of Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Pauma Band of Luiseno Mission Indians of the Pauma and Yuima Reservation</li> </ul>
<ul style="list-style-type: none"> <li>Rincon Band of Luiseno Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Rincon Band of Luiseno Mission Indians</li> </ul>
<ul style="list-style-type: none"> <li>San Pasqual Band of Diegueno Mission Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>San Pasqual Band of Diegueno Mission Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Sycuan Band of the Kumeyaay Nation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Sycuan Band of the Kumeyaay Nation</li> </ul>
<ul style="list-style-type: none"> <li>Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians</li> </ul>
San Francisco Bay Area, CA*	Alameda County Contra Costa County Marin County Napa County San Francisco County San Mateo County Santa Clara County Solano County (partial) Sonoma County (partial)	Alameda County Contra Costa County Marin County Napa County San Francisco County San Mateo County Santa Clara County Solano County (partial) Sonoma County (partial)

Area	California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
<ul style="list-style-type: none"> <li>Federated Indians of Graton Rancheria</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Federated Indians of Graton Rancheria</li> </ul>
<ul style="list-style-type: none"> <li>Lytton Rancheria of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Lytton Rancheria of California</li> </ul>
San Joaquin Valley, CA*	Fresno County Kern County (partial) Kings County Madera County Merced County San Joaquin County Stanislaus County Tulare County	Fresno County Kern County (partial) Kings County Madera County Merced County San Joaquin County Stanislaus County Tulare County
<ul style="list-style-type: none"> <li>Big Sandy Rancheria of Western Mono Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Big Sandy Rancheria of Western Mono Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Cold Springs Rancheria of Mono Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Cold Springs Rancheria of Mono Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Northfork Rancheria of Mono Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Northfork Rancheria of Mono Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Picayune Rancheria of Chukchansi Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Picayune Rancheria of Chukchansi Indians of California</li> </ul>
<ul style="list-style-type: none"> <li>Santa Rosa Indian Community of the Santa Rosa Rancheria</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Santa Rosa Indian Community of the Santa Rosa Rancheria</li> </ul>
<ul style="list-style-type: none"> <li>Table Mountain Rancheria of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Table Mountain Rancheria of California</li> </ul>
<ul style="list-style-type: none"> <li>Tule River Indian Tribe of the Tule River Reservation</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Tule River Indian Tribe of the Tule River Reservation</li> </ul>
San Luis Obispo (Eastern part), CA	San Luis Obispo County (partial)	San Luis Obispo County (partial)
Sutter Buttes, CA	Sutter County (partial)	Sutter County (partial)
Tuolumne County, CA*	Tuolumne County	Tuolumne County
<ul style="list-style-type: none"> <li>Chicken Ranch Rancheria of Me-Wuk Indians of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Chicken Ranch Rancheria of Me-Wuk Indians of California</li> </ul>

Area	California's or Tribe's Recommended Nonattainment Counties [or Areas of Indian Country]	EPA's Intended Nonattainment Counties [or Areas of Indian Country]
<ul style="list-style-type: none"> <li>Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California</li> </ul>	<ul style="list-style-type: none"> <li>did not submit recommendation</li> </ul>	<ul style="list-style-type: none"> <li>Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California</li> </ul>
Tuscan Buttes, CA	Tehama County (partial)	Tehama County (partial)
Ventura County, CA	Ventura County (partial)	Ventura County (partial)

EPA modifications to state or tribal recommendations are shown in **bold**.

\*The areas noted are multi-jurisdictional nonattainment areas that include areas of Indian country of federally-recognized tribes. The areas of Indian country of each tribe that the EPA intends to designate as part of the nonattainment area are discussed in the Technical Support Document for California, which is available on the EPA ozone designations website at <https://www.epa.gov/ozone-designations/>.

\*\*The Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation recommended that their lands be designated as two separate nonattainment areas. We are designating a portion of these lands as the Pechanga Band of Luiseno Mission Indians, CA nonattainment area, and a portion as part of the Los Angeles-South Coast Air Basin, CA nonattainment area. Additional discussion is found in the Technical Support Document for California.

# AMADOR AIR DISTRICT BOARD OF DIRECTORS

810 Court Street, Jackson, California 95642

## AGENDA

Tuesday, March 20, 2018 at 1:30 p.m.

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Please Note: All Air District Board meetings are recorded.

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**Anyone who wishes to address the Board must speak from the podium and should print their name on the Board Meeting Speaker list, which is located on the podium. The Clerk will collect the list at the end of the meeting.**  
*If you are disabled and need a disability-related modification or accommodation to participate in this meeting, please contact the Clerk of the Board, at 209-257-0112 or 209-257-0116 (fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting.*

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### **Determination of a Quorum:**

### **Pledge of Allegiance:**

**Approval of Agenda:** Approval of the agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code).

**Public Matters Not on the Agenda:** Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador Air District Board of Directors; however, any matter that requires action may be referred to staff and/or a committee for a report and recommendation for possible action at a subsequent Board meeting. **Please note - there is a five (5) minute limit per topic.**

### **Administrative Matters:**

1. **Minutes:** Review and approval of the January 16, 2018, Board Minutes as presented or revised. Action
2. **Public Hearing: Rules Update:** Discussion and Possible Action
3. **Draft Budget for FY 2018-2019:** Discussion and Possible Action
4. **Smoke Reduction Bin Program (Pine Needle Bins):** Discussion and Possible Action
5. **APCO's Update:** Informational only, no action to be taken.
  - Electric Vehicle Charging Stations/Pilot Program
  - Schedule Change: May 15, 2018, Meeting Cancelled
  - Financials through March 15, 2018

### **Correspondence:**

**Adjournment:** Until June 19, 2018 at 1:30pm

T654

**PROOF OF PUBLICATION  
(2015-5 C.C.P.)**

**STATE OF CALIFORNIA  
COUNTY OF AMADOR**

I am a citizen of the United States and a resident of the said County. I am over the age of eighteen years; and not a party to or interested in the above matter. I am the principal Clerk of the Printer and Publisher of the Amador Ledger Dispatch. A newspaper of general circulation, published two times a week in the City of Jackson, California, County of Amador, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court, of the County of Amador, State of California dated June 19, 1953, Court decree numbers; 5575/5551; that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates; to wit:

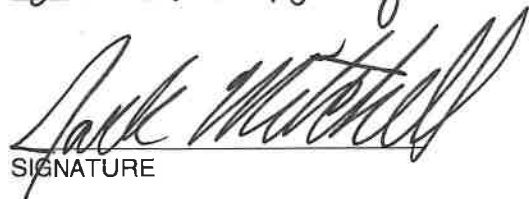
February 20

all in the year: 2018

I certify (or declare) under Penalty of perjury that the foregoing is true and correct.

Date at Jackson, California this

20 of February 2018

  
SIGNATURE

**PUBLIC NOTICE**

Public Notice  
On March 20, 2018 at  
1:30 pm at 810 Court  
Street, Jackson, CA  
95642, the Amador Air  
District Board of Directors  
will consider:

1. Adoption of proposed  
Regulation IV, Rule 400,  
New Source Review  
(NSR) Rule for New and  
Modified Major Stationary  
Sources.

2. General updates to all  
rules in the Amador Air  
District.

The District is proactively  
adopting Rule 400 in  
anticipation that Amador  
County will be designat-  
ed as a nonattainment  
area for the federal 2015  
8-hour ozone standard.

The 8-hour federal ozone  
standard is 70 parts per  
billion and the Amador Air  
District has a new Design  
Standard of 71 parts per  
billion.

The proposed Regulation  
IV is a requirement by the  
Environmental Protection  
Agency (EPA) for Districts  
that have been designat-  
ed as non-attainment.

The Rule applies to any  
new source in the Amador  
Air District and once ap-  
proved will meet the State  
Implementation Plan (SIP)  
requirements.

The general updates to  
the District Rules are  
administrative (change in  
District's name) and tech-  
nical. Technical changes  
include addition of air  
pollutants such as PM-  
2.5, clarification of exempt  
equipment and updating  
of various definitions that  
appear in Regulations I  
to IV.

A copy of the staff report  
and proposed regulation  
is available for review at  
the Amador Air District  
Office 810 Court Street,  
Jackson, CA 95642 or  
may be downloaded  
from the county website  
at [http://www.amador-  
gov.org/services/ama-  
dor-air-district](http://www.amador-gov.org/services/amador-air-district)

February 20, 2018-T654

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FEB 27 2018

AMADOR AIR DISTRICT